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Security Council

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Resolution 2338 (2017)

Adopted by the Security Council at its 7869th meeting, on 26 January 2017

The Security Council,

Welcoming the report of the Secretary-General of 9 January 2017 (S/2017/20) on the United Nations operation in Cyprus,

Noting that the Government of Cyprus is agreed that in view of the prevailing conditions on the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus (UNFICYP) beyond 31 January 2017,

Noting the intention of the Secretary-General to report on his Good Offices in the next reporting period, *echoing* the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, and *reaffirming* the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Welcoming the commitments set out in the Greek Cypriot and Turkish Cypriot leaders' Joint Statement of 14 September 2016 on the basis of the Joint Declaration adopted on 11 February 2014, *further welcoming* the good progress in negotiations since then, including the convening of a Conference for Cyprus under UN auspices in January 2017, and the participants' commitment to support the process towards a comprehensive settlement in Cyprus, and the support provided by the Secretary-General's Special Adviser on Cyprus Espen Barth Eide,

Recalling the importance attached by the international community to all parties engaging fully, flexibly and constructively in the negotiations and *noting* that the negotiations have not yet resulted in an enduring, comprehensive and just settlement based on a bicommunal, bizonal federation with political equality, as set out in relevant Security Council resolutions, *encouraging* the sides to intensify the substantive negotiations on the unresolved core issues interdependently, and stressing that the status quo is unsustainable,

Noting the need to advance the consideration of and discussions on military confidence-building measures, *calling for* renewed efforts to implement all

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remaining confidence-building measures, and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, and encouraging the opening by mutual agreement of other crossing points,

Convinced of the many important benefits, including economic benefits for all Cypriots, that would flow from a comprehensive and durable Cyprus settlement, *urging* the two sides and their leaders to foster positive public rhetoric, and *encouraging* them clearly to explain the benefits of the settlement, as well as the need for increased flexibility and compromise in order to secure it, to both communities well in advance of any referenda,

Highlighting the importance, both political and financial, of the supporting role of the international community, and in particular that of all parties concerned in taking practical steps towards helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and *urging* all sides to avoid any action, including violations of the military status quo, which could lead to an increase in tension, undermine the progress achieved so far, or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Noting with regret that the sides are withholding access to the remaining minefields in the buffer zone, and that demining in Cyprus must continue, *noting* the continued danger posed by mines in Cyprus, *noting also* proposals and discussions as well as positive initiatives on demining, and *urging* rapid agreement on facilitating the recommencement of demining operations and clearance of the remaining minefields,

Commending the work of the Committee on Missing Persons, *highlighting* the importance of intensifying its activities, and therefore the need to provide all information required as expressed in the press release of the Committee on Missing Persons on 28 July 2016 regarding review of archival materials, *noting* that nearly half of all missing persons have yet to be located and around 63% have yet to be identified, *urging* the opening up of access to all areas expeditiously to allow the Committee to carry out its work, and *trusting* that this process will promote reconciliation between the communities,

Agreeing that active participation of civil society groups, including women's groups, is essential to the political process and can contribute to making any future settlement sustainable, *recalling* that women play a critically important role in peace processes, *welcoming* all efforts to promote bicommunal contacts and events including, inter alia, on the part of all United Nations bodies on the island, and *urging* the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations under close review to ensure efficiency and effectiveness, *including* a review of UNFICYP when appropriate, and *noting* the importance of transition planning in relation to the settlement, including recommendations as appropriate for further adjustments to UNFICYP's mandate, force levels and other resources and concept of operations, taking into account developments on the ground and the views of the parties,

Noting with appreciation the efforts of Special Representative Elizabeth Spehar and Special Adviser Espen Barth Eide and welcoming the Secretary-General's appointment of Force Commander Major General Mohammad Humayun Kabir,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of UNFICYP, and his request for further voluntary contributions from other countries and organizations, and *expressing* appreciation to Member States that contribute personnel to UNFICYP,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the progress of the leaders-led negotiations so far and the ongoing efforts of the leaders and their negotiators to reach a comprehensive and durable settlement, and *encourages* the sides to grasp the current opportunity with determination to secure a comprehensive settlement;

2. *Takes note* of the report of the Secretary-General (S/2017/20);

3. *Recalls* Security Council resolution 2263 (2016), and *calls* upon the two leaders to:

(a) Put their efforts behind further work on reaching convergences on the core issues;

(b) Continue to work with the Technical Committees with the objective of improving the daily lives of the Cypriots;

(c) Improve the public atmosphere for the negotiations, including by focussing public messages on convergences and the way ahead, and delivering more constructive and harmonised messages; and

(d) Increase the participation of civil society in the process as appropriate;

4. *Requests* the Secretary-General to intensify further transition planning in relation to a settlement, guided by developments in negotiations, and encourages the sides to engage with each other, as well as with UNFICYP and the United Nations Good Offices mission on issues related to the implementation of a settlement;

5. *Urges* the implementation of confidence-building measures, and *looks forward* to agreement on and implementation of further such mutually-acceptable steps, including military confidence-building measures and the opening of crossing

points already agreed upon and others, that can contribute to a conducive environment for a settlement;

6. *Welcomes* all efforts to accommodate the Committee on Missing Persons exhumation requirements as well as the joint appeal for information issued by the two leaders on 28 May 2015, and *calls upon* all parties to provide more expeditious, full access to all areas, given the need to intensify the Committee's work;

7. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

8. *Expresses* its full support for UNFICYP and *decides* to extend its mandate for a further period ending 31 July 2017;

9. *Calls* on both sides to continue to engage, as a matter of urgency and while respecting UNFICYP's mandate, in consultations with UNFICYP on the demarcation of the buffer zone, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

10. *Calls* on the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

11. *Calls* on both sides to allow access to deminers and to facilitate the removal of the remaining mines in Cyprus within the buffer zone, and urges both sides to extend demining operations outside the buffer zone;

12. *Requests* the Secretary-General to submit a report on implementation of this resolution, including on transition planning in relation to the settlement, by 10 July 2017 and to keep the Security Council updated on events as necessary;

13. *Welcomes* the efforts being undertaken by UNFICYP to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, *requests* the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and *urges* troop-contributing countries to take appropriate preventive action including the conduct of pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

14. *Decides* to remain seized of the matter.